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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/780,631 | 02/19/2004 | Cullen E. Bash | 200313170-1 | 1889 |

22879 7590 01/29/2007
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| EXAMINER |
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BAHTA, KIDEST

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| ART UNIT | PAPER NUMBER |
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2125

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|----------------------------------------|------------|---------------|
| 3 MONTHS | 01/29/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | | |
|------------------------------|--------------------------------------|------------------------------------|--|
| Office Action Summary | Application No. 10/780,631 | Applicant(s) BASH ET AL. | |
| | Examiner Kidest Bahta | Art Unit 2125 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25-44 is/are allowed.
- 6) ☒ Claim(s) 1-12 and 20-24 is/are rejected.
- 7) ☒ Claim(s) 13-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 and 20-24 are rejected under 35 U.S.C. 102(b) as being anticipated by **Russell (sensing airflow by Humanoid Robot)**.

Regarding claim 1, Russell discloses airflow indicating device having a movable component whose movement substantially corresponds to airflow in a vicinity of the airflow indicating device (Page 177, 1st column); cooling system components (page 177, i.e., domestic cooling fan) and a computer system configured to control the cooling system components substantially based upon movement of the movable component (page 177, 1st column).

*As claim 2-13, **Russell (sensing airflow by Humanoid Robot)** further discloses,*

2. The system according to claim 1, wherein the movable component comprises a nearly massless streamer configured to flow in the direction of airflow in a vicinity of the airflow indicating device (page 176, 1st column).

3. The system according to claim 1, wherein the movable component comprises a movable mass configured to rotate about an axis in response to airflow in a vicinity of the airflow indicating device (Page 177).
4. The system according to claim 3, wherein the movable mass comprises a color changing material, said color changing material configured to change color based upon a temperature of the air in the vicinity of the airflow indicating device (page 178, Fig. 7).
5. The system according to claim 1, wherein the movable component comprises a windsock configured to rotate about an axis in response to airflow in a vicinity of the airflow indicating device (Page 177, Fig. 4).
6. The system according to claim 1, wherein the airflow indicating device comprises at least one sensor configured to detect airflow magnitude (page 177).
7. The system according to claim 1, wherein the airflow indicating device comprises at least one sensor configured to detect temperature in a vicinity of the airflow indicating device (page 177).
8. The system according to claim 1, wherein the airflow indicating device comprises

a pole having a height, said pole comprising a plurality of movable components attached at various heights of the pole (Fig. 1, i.e., It is inherent that the robot has a pole that help the robot stand and walk and robot to have a movable component).

9. The system according to claim 8, wherein the pole further comprises a plurality of sensors attached at various heights of the pole (Fig. 1).

10. The system according to claim 9, wherein the sensors are attached to one or more temperature indicators (Page 176).

11. The system according to claim 8, wherein the pole comprises a base configured to support the pole (Fig. 1).

12. The system according to claim 8, wherein the airflow indicating device is attached on a robotic device configured to traverse the room (Fig. 1).

2. In addition, as claims 20-24, **Russell (sensing airflow by Humanoid Robot)** discloses,

20. A system for detecting airflow in a room, said system comprising:

a pole (Fig. 1);

a plurality of movable components attached at various heights of the pole, wherein the plurality of movable components are configured to move in a direction of

the airflow in a vicinity of the pole to thereby indicate the direction of airflow (page 176).

21. The system according to claim 20, further comprising a plurality of sensors attached at various heights of the pole, wherein the plurality of sensors are configured to detect at least one of airflow magnitude and temperature (page 177).

22. The system according to claim 21, wherein the sensors are attached to one or more temperature indicators configured to visually indicate the temperatures at one or more of the heights of the pole (page 176-177).

23. The system according to claim 20, wherein the pole comprises a base configured to independent support pole (Fig. 1).

24. The system according to claim 20, wherein the pole is attached on a robotic device configured to traverse the room (Page 177).

Allowable Subject Matter

3. Claims 25-44 allowed.

4. Claims 13-19 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Art Unit: 2125

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed Kidest Bahta whose telephone number is 571-272-3737.

The examiner can normally be reached on Monday - Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 571-272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application information Retrieval IPAIRI system. Status information for published applications may be obtained from either Private PMR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAG system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

1/17/07

Kidest Bahta



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